

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

JOSE MORALES, et al.,	)	8:08CV88
	)	
Plaintiffs,	)	
	)	
v.	)	MEMORANDUM AND ORDER
	)	
GREATER OMAHA PACKING	)	
COMPANY, INC.,	)	
	)	
Defendant.	)	

GABRIEL SANCHEZ CLAUDIO, et al.,	)	8:08:CV161
	)	
Plaintiffs,	)	
	)	
v.	)	MEMORANDUM AND ORDER
	)	
GREATER OMAHA PACKING	)	
COMPANY, INC.,	)	
	)	
Defendant.	)	

This matter is before the court on defendant’s motion to dismiss certain class plaintiffs, Filing No. [214](#). The court previously ordered the plaintiffs to substitute new plaintiffs for Ivon Chavorin, Mercedes Estrella, Carlos Mejia, Jose Morales, Javier Moreno Perez and Carlos Suarez. Filing No. [212](#). The court gave the plaintiffs sixty days to substitute opt-in plaintiffs and stated that failure to do so may result the dismissal of those claims. Sixty days have passed and the plaintiffs have not responded. Accordingly, the court will grant defendant’s motion to dismiss, and will dismiss these named plaintiffs with prejudice, as party-plaintiffs and class representatives of both the Fair Labor Standards Act claims and the Rule 23 claims.

THEREFORE, IT IS ORDERED that defendant’s motion to dismiss, Filing No. [214](#), is granted. Plaintiffs Ivon Chavorin, Mercedes Estrella, Carlos Mejia, Jose Morales, Javier

Moreno Perez and Carlos Suarez are dismissed, with prejudice, as party-plaintiffs and class representatives of both the Fair Labor Standards Act claims and the Rule 23 claims.

DATED this 30<sup>th</sup> day of August, 2011.

BY THE COURT:

s/ Joseph F. Bataillon  
Chief District Judge

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